

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

| | | |
|----------------------------|---|-------------------------------|
| KIVON D. REDD, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CAUSE NO.: 3:12-cv-70-RLY-WGH |
| |) | |
| THE CITY OF EVANSVILLE, |) | |
| INDIANA, MICHAEL R. WARD, |) | |
| JOHN PIESZCHALSKI and |) | |
| BRAD HILL or his SUCCESSOR |) | |
| IN OFFICE AS THE CHIEF OF |) | |
| POLICE FOR THE CITY OF |) | |
| EVANSVILLE, INDIANA, |) | |
| |) | |
| Defendants. |) | |

PLAINTIFF'S MOTION IN LIMINE

Plaintiff, Kivon Redd, by counsel, respectfully moves this Court for an order *in limine* precluding Defendant from presenting or making reference to all evidence and testimony pertaining in any manner to the following categories of evidence:

- (a) Any evidence relating to Plaintiff's unrelated conviction of conversion, a class A misdemeanor;
- (b) Any testimony and/or evidence by Defendant's expert witness, James Berry, as to opinions which embrace ultimate legal conclusions and opinions as to credibility of witnesses;
- (c) Any evidence relating to any statements made by Redd following his arrest by Defendant Officers.
- (d) Any evidence relating to any audio recording of any 911 call made regarding the incident at the Scottish Rite on May 29, 2010;
- (e) Any evidence relating to settlement negotiations.

WHEREFORE, Plaintiff, Kivon Redd, respectfully requests the Court exclude any and all evidence and testimony pertaining in any way to the above-referenced matters.

Respectfully submitted,

s/ Kyle F. Biesecker _____
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CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2014, a copy of the foregoing *Plaintiff's Motion in Limine* was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the court's electronic filing system. Parties may access this filing through the court's system.

For Defendants:

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s/Kyle F. Biesecker _____
Kyle F. Biesecker